

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DONNA JOHNSON and  
TOM JOHNSON,

Plaintiffs,

VS.

KDI OMAHA, LP; a Nebraska  
Limited partnership; EATON  
HYDRAULICS, INC., a Nebraska  
Corporation,

Defendants.

8:05CV145

# MEMORANDUM AND ORDER

This matter is before the court on its own motion. On June 22, 2005, the court entered an order (filing 19) requiring that Plaintiffs amend their complaint to show that the notice required by 42 U.S.C. § 6972(b)(2)(A)(i) & (ii) has been given to the governmental parties identified therein.

As of the date of this order, Plaintiffs have failed to comply with the court's order. Accordingly, pursuant to the terms of the court's prior order (filing 19), Fed. R. Civ. P. 41, and NECivR 41.1, the court finds that Plaintiffs' claims against Defendants should be dismissed with prejudice.

IT IS ORDERED:

1. This action is dismissed with prejudice; and

2. Judgment shall be entered by separate document.

August 17, 2005.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge